

Approve: August 12, 2009
Vetoed: August 31, 2009
Veto Overridden: September 8, 2009
Effective: September 18, 2009

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 09-062

RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING APPENDIX B OF THE
COUNTYWIDE PLANNING POLICIES FOR SNOHOMISH COUNTY TO REMOVE THE
POPULATION RESERVE FOR FULLY CONTAINED COMMUNITIES

WHEREAS, the Growth Management Act (GMA) at RCW 36.70A.110(2) requires that Snohomish County and its cities use the growth management population projection made for the county by the State Office of Financial Management (OFM) as the basis for urban growth area (UGA) determination; and

WHEREAS, Countywide Planning Policy (CPP) UG-2(a) requires that the cities and the county engage in the cooperative planning process of Snohomish County Tomorrow (SCT) in order to establish a subcounty allocation of projected 20-year growth to cities, unincorporated UGAs, and the rural area for coordination of growth management plans; and

WHEREAS, CPP UG-2 requires that the results of this collaborative growth allocation effort be contained in Appendix B of the CPPs; and

WHEREAS, Appendix B of the CPPs was last updated on December 20, 2006, by the Snohomish County Council to incorporate the results of the SCT target reconciliation process called for in CPP UG-2(b); and

WHEREAS, Appendix B of the CPPs currently shows the reconciled population growth targets to the year 2025 which totals 938,434 countywide, and includes a portion of the 2025 countywide population projection for Snohomish County (15,000) that is reserved for potential fully contained communities (FCCs) consistent with RCW 36.70A.350(2); and

WHEREAS, the population growth targets currently shown in Appendix B of the CPPs were based on the OFM population projections released in January 2002 that included a range for potential 2025 Snohomish County total population from a low of 795,725 to a high of 1,062,903, with a medium (“most likely”) projection of 929,314; and

WHEREAS, in 2007, the OFM released updated projections for Snohomish County’s 2025 total population that range from a low of 769,525 to a high of 1,027,905, and lowered its medium (“most likely”) 2025 population projection for the county from 929,314 to 898,715; and

WHEREAS, in 2008, the Puget Sound Regional Council (PSRC) adopted an updated regional growth strategy in Vision 2040, which includes an updated population growth allocation for Snohomish County that is consistent with the lower 2007 OFM medium projection; and

WHEREAS, the Snohomish County Council proposes to amend the Snohomish County GMA Comprehensive Plan (GMACP) General Policy Plan (GPP) to eliminate provisions for FCCs; and

WHEREAS, the Department of Planning and Development Services (PDS) completed the initial review and evaluation of these GMACP amendments as docket proposal GPP16 pursuant to SCC 30.74.030 and transmitted those initial evaluations to the county council for its consideration in setting Final Docket XIII; and

WHEREAS, on June 9, 2008, and June 16, 2008, the Snohomish County Council held public hearings to receive public testimony on proposed county and non-county initiated amendments to the GMACP for consideration on Final Docket XIII including proposal GPP16; and

WHEREAS, the Snohomish County Council, on June 16, 2008, approved, by Motion No. 08-238, a list of proposed GMACP amendments for inclusion on Final Docket XIII and authorized the Snohomish County Executive, through PDS, to process Final Docket XIII, including GPP16, consistent with chapters 30.73 and 30.74 SCC; and

WHEREAS, approval of GPP16 requires corresponding amendments to the county population growth targets in Appendix B of the CPPs through an established process of consultation with SCT; and

WHEREAS, on August 20, 2008, the county council directed council staff to consult with SCT on whether the proposed removal of the 15,000 FCC population reserve should be reallocated to existing UGAs as part of proposal GPP16; and

WHEREAS, on October 9, 2008, the SCT Planning Advisory Committee considered GPP16 and recommended that if the proposed GPP16 is adopted by the county council, no reallocation of population to urban areas should occur and the overall county growth target should be reduced; and

WHEREAS, on October 14, 2008, the SCT Executive Committee considered GPP16 and recommended that if the proposed GPP16 is adopted by the county council, no reallocation of population to urban areas should occur and the overall county growth target should be reduced; and

WHEREAS, on October 22, 2008, the SCT Steering Committee considered GPP16 and recommended that if the proposed GPP16 is adopted by the county council, no reallocation of population to urban areas should occur and the overall county growth target should be reduced; and

WHEREAS, by Motion No. 08-682, the Snohomish County Council accepted the recommendation of SCT that the proposal GPP16 should not include reallocation of population to urban areas, and instead should include a reduction in the overall county population growth target as needed to ensure consistency with the GMACP, the CPPs, and the GMA; and

WHEREAS, the SCT Planning Advisory Committee reviewed the GPP16 proposal on February 12, 2009, and recommended approval on March 12, 2009, of the amendments proposed in this ordinance to Appendix B of the CPPs that are necessary for the adoption of GPP16 ; and

WHEREAS, the SCT Steering Committee reviewed the GPP16 proposal on March 25, 2009, and recommended approval on April 22, 2009, of the amendments proposed in this ordinance to Appendix B of the CPPs that are necessary for the adoption of GPP 16; and

WHEREAS, Snohomish County adopted CPPs in Ordinance No. 93-004 on February 4, 1993, and later amended those policies in Ordinance No. 94-002 on February 2, 1994; Amended Ordinance No. 95-005 on February 15, 1995; Ordinance No. 95-110 on December 20, 1995; Ordinance No. 98-054 on July 15, 1998; Amended Ordinance No. 99-120 on January 19, 2000; Amended Ordinance No. 99-121 on February 16, 2000; Amended Ordinance Nos. 03-071, 03-072 and 03-073 on July 9, 2003; Amended Ordinance No. 03-070 on December 10, 2003; Amended Ordinance No. 04-006 on February 11, 2004; Amended Ordinance No. 04-007 on March 31, 2004; Amended Ordinance Nos. 06-098 and 06-116 on December 20, 2006; and Amended Ordinance No. 08-054 on June 3, 2008; and

WHEREAS, the Snohomish County Council held a public hearing on July 8, 2009 continued to August 12, 2009, to consider the recommendation of the SCT Steering Committee to remove the FCC population reserve from Appendix B of the CPPs.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The Snohomish County Council makes the following findings:

- A. The county council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.
- B. The proposed amendments to the CPPs would eliminate the 15,000 population reserve for FCCs. This would result in a 15,000 reduction to the 2025 countywide population target.
- C. Reduction of the countywide population target for Snohomish County for the year 2025 by an amount commensurate with the deleted FCC population reserve of 15,000 brings the county's 2025 total population target down from 938,434 to 923,434, which is closer to the 2007 OFM medium ("most likely") population projection for Snohomish County of 898,715 for the year 2025.
- D. The proposal is consistent with OFM's most recent population projection for Snohomish County which indicated a 2025 population range from a low of 769,525 to a high of 1,027,905.
- E. Reduction of the countywide population target for Snohomish County for the year 2025 by an amount commensurate with the deleted FCC population reserve of 15,000 brings the county's 2025 total population target down from 938,434 to 923,434. This is consistent with the PSRC's Vision 2040 population allocation released in 2008 to Snohomish County, although the County is not at this time required to adopt new population growth targets.
- F. The county council considered the recommendation of the SCT Steering Committee to remove the FCC population reserve from Appendix B of the CPPs.
- G. The revisions to Appendix B, Table 1, of the CPPs, shown as amended in Exhibit 1 of this ordinance accomplish the removal of the FCC population reserve as recommended by the SCT Steering Committee.

H. Amendments to the population growth targets to remove the 15,000 FCC population reserve were analyzed in Addendum No. 13 to the Final Environment Impact Statement (FEIS) for the Snohomish County GMACP 10-Year Update, released on February 9, 2009. The information in this Addendum adds to the analysis of previously identified significant impacts of the alternatives in the county's GMA Comprehensive Plan 10-Year Update EIS dated May 5, 2004, (Draft EIS) and December 13, 2005, (Final EIS) but does not substantially change the analysis. The county has already considered in these EIS documents the impacts of the GPP16 docket proposal described in this Addendum No. 13, which impacts are identical to those for the proposed CPP amendments. No new impacts beyond those identified in the original EIS are expected to occur due to the proposal.

Section 2. The Snohomish County Council makes the following conclusions:

- A. The proposed amendments would remove the 15,000 FCC population reserve. This would result in a 15,000 reduction to the 2025 countywide population target for the year 2025 by an amount commensurate with the deleted FCC population reserve.
- B. The proposed amendments to the are consistent with the projected population growth for the succeeding 20-year period, consistent with the forecasts promulgated by the OFM, as required by RCW 36.70A.110(2).
- C. All requirements of the State Environmental Policy Act (SEPA) (chapter 43.21C RCW) and chapter 30.61 SCC with respect to this non-project action have been satisfied through the publication of an addendum to the Ten-Year Update.
- D. The amendments satisfy the procedural and substantive requirements of and are consistent with the GMA.
- E. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.

Section 3. The county council bases its findings and conclusions on the entire record of the county council, including all testimony and exhibits. Any finding, which should be deemed a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

Section 4. Based on the foregoing findings and conclusions, Section 1 of Ordinance No. 93-004, adopted February 4, 1993, and last amended by Amended Ordinance No. 08-054 on June 3, 2008, is amended by amending Table 1 of Appendix B, which is contained in the document entitled "Countywide Planning Policies for Snohomish County," dated February 4, 1993, as depicted in Exhibit 1 to this ordinance attached hereto and incorporated by reference herein as if set forth in full.

Section 5. The county council directs the code reviser to update SCC 30.10.050 pursuant to the authority in SCC 1.02.020(3) upon adoption of this ordinance.

Section 6. Severability and savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board, or invalid or

unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 12th day of August, 2009.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Mike Cooper
Council Chair

ATTEST:
Barbara Sikorski
Asst. Clerk of the Council

APPROVED
 EMERGENCY
 VETOED

DATE: August 31, 2009

Aaron Reardon
Snohomish County Executive

ATTEST:

Cora Palmer

Veto Overridden by a 5 – 0 vote on
September 8, 2009

Approved as to form only:

Deputy Prosecuting Attorney

Exhibit 1
Amended Ordinance No. 09-062
Countywide Planning Policies – Appendix B, Table 1 Amendments

| APPENDIX B, Table 1 - ((Reconciled)) 2025 Population Growth Targets for Cities, UGAs and the Rural/Resource Area Recommended by the SCT Planning Advisory Committee ((April 13, 2006)) and SCT Steering Committee ((May 24, 2006), as Modified), and Adopted by the Snohomish County Council ((on December 20, 2006)). | | | | | |
|---|---------------------------------|--|-------------------------------|-------------------------------|-----------------|
| Area | 2002 Estimated Population | Reconciled 2025 Population Targets | 2002 - 2025 Population Growth | | |
| | | | Amount | Pct of Total County Growth | |
| Non-S.W. County UGA | 134,101 | 226,794 | 92,693 | ((29.9%)) | <u>31.4%</u> |
| Arlington UGA | 13,920 | 27,000 | 13,080 | ((4.2%)) | <u>4.4%</u> |
| Arlington City | 13,280 | 18,150 | 4,870 | | <u>1.6%</u> |
| Unincorporated | 640 | 8,850 | 8,210 | ((2.6%)) | <u>2.8%</u> |
| Darrington UGA | 1,468 | 2,125 | 657 | | 0.2% |
| Darrington Town | 1,335 | 1,910 | 575 | | 0.2% |
| Unincorporated | 133 | 215 | 82 | | 0.0% |
| Gold Bar UGA | 2,817 | 3,500 | 683 | | 0.2% |
| Gold Bar City | 2,055 | 2,497 | 442 | | 0.1% |
| Unincorporated | 762 | 1,003 | 241 | | 0.1% |
| Granite Falls UGA | 2,909 | 6,970 | 4,061 | ((1.3%)) | <u>1.4%</u> |
| Granite Falls City | 2,760 | 4,770 | 2,010 | ((0.6%)) | <u>0.7%</u> |
| Unincorporated | 149 | 2,200 | 2,051 | | <u>0.7%</u> |
| Index UGA (incorporated) | 160 | 190 | 30 | | 0.0% |
| Lake Stevens UGA | 26,828 | 46,125 | 19,297 | ((6.2%)) | <u>6.5%</u> |
| Lake Stevens City | 6,640 | 8,360 | 1,720 | | 0.6% |
| Unincorporated | 20,188 | 37,765 | 17,577 | ((5.7%)) | <u>5.9%</u> |
| Maltby UGA (unincorporated) | NA | NA | NA | | NA |
| Marysville UGA | 50,828 | 79,800 | 28,972 | ((9.3%)) | <u>9.8%</u> |
| Marysville City | 27,580 | 36,737 | 9,157 | ((2.9%)) | <u>3.1%</u> |
| Unincorporated | 23,248 | 43,063 | 19,815 | ((6.4%)) | <u>6.7%</u> |
| Monroe UGA | 16,240 | 26,590 | 10,350 | ((3.3%)) | <u>3.5%</u> |
| Monroe City | 14,670 | 20,540 | 5,870 | ((1.9%)) | <u>2.0%</u> |
| Unincorporated | 1,570 | 6,050 | 4,480 | ((1.4%)) | <u>1.5%</u> |
| Snohomish UGA | 10,194 | 14,535 | 4,341 | ((1.4%)) | <u>1.5%</u> |
| Snohomish City | 8,575 | 9,981 | 1,406 | | 0.5% |
| Unincorporated | 1,619 | 4,554 | 2,935 | ((0.9%)) | <u>1.0%</u> |
| Stanwood UGA | 4,479 | 8,840 | 4,361 | ((1.4%)) | <u>1.5%</u> |
| Stanwood City | 4,085 | 5,650 | 1,565 | | 0.5% |
| Unincorporated | 394 | 3,190 | 2,796 | | 0.9% |
| Sultan UGA | 4,258 | 11,119 | 6,861 | ((2.2%)) | <u>2.3%</u> |
| Sultan City | 3,910 | 8,190 | 4,280 | | <u>1.4%</u> |
| Unincorporated | 348 | 2,929 | 2,581 | ((0.8%)) | <u>0.9%</u> |
| S.W. County UGA | 380,579 | 533,125 | 152,546 | ((49.1%)) | <u>51.6%</u> |
| Incorporated S.W. | 242,490 | 303,227 | 60,737 | ((19.6%)) | <u>20.6%</u> |
| Bothell City (part) | 14,490 | 22,000 | 7,510 | ((2.4%)) | <u>2.5%</u> |
| Brier City | 6,445 | 7,790 | 1,345 | ((0.4%)) | <u>0.5%</u> |
| Edmonds City | 39,460 | 44,880 | 5,420 | ((1.7%)) | <u>1.8%</u> |
| Everett City | 96,070 | 123,060 | 26,990 | ((8.7%)) | <u>9.1%</u> |
| Lynnwood City | 33,990 | 43,782 | 9,792 | ((3.2%)) | <u>3.3%</u> |
| Mill Creek City | 12,055 | 16,089 | 4,034 | ((1.3%)) | <u>1.4%</u> |
| Mtlake Terrace City | 20,470 | 22,456 | 1,986 | ((0.6%)) | <u>0.7%</u> |
| Mukilteo City | 18,520 | 22,000 | 3,480 | ((1.1%)) | <u>1.2%</u> |
| Woodway Town | 990 | 1,170 | 180 | | 0.1% |
| Unincorporated S.W. | 138,089 | 229,898 | 91,809 | ((29.6%)) | <u>31.1%</u> |
| UGA Total | 514,680 | 759,919 | 245,239 | ((79.0%)) | <u>83.0%</u> |
| City Total | 327,540 | 420,202 | 92,662 | ((29.8%)) | <u>31.4%</u> |
| Unincorporated UGA Total | 187,140 | 339,717 | 152,577 | ((49.1%)) | <u>51.6%</u> |
| ((FCC Population Reserve*)) | ((NA)) | ((15,000)) | ((15,000)) | | ((4.8%)) |
| TDR Population Reserve | NA | 4,900 | 4,900 | ((1.6%)) | <u>1.7%</u> |
| Potential UGA total | 514,680 | <u>764,819</u> | <u>250,139</u> | ((85.4%)) | <u>84.7%</u> |
| Non-UGA Total (Rural Unincorporated) | 113,320 | 158,615 | 45,295 | ((14.6%)) | <u>15.3%</u> |
| County Total | 628,000 | <u>923,434</u> | <u>295,434</u> | | 100.0% |

((FCC = Fully-Contained-Community;)) TDR = Transfer of Development Rights; NA = Not applicable.
 ((*-- The portion of the 2025 countywide population projection reserved for potential FCCs. The portion of the population reserve associated with an approved FCC becomes part of the urban-growth-allocation [RCW-36.70A.350(2)].))